

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**U.S. Bank National Association, as
Trustee for JPMorgan Mortgage
Acquisition Trust 2006-ACC1, Asset-
Backed Pass-Through Certificates,
Series 2006-ACC1**

Plaintiff

v.

Lourdes S. Jacob

Defendant

**Wellington Court Condominium
Association, Inc.**

Party-In-Interest

**CIVIL ACTION NO: 2:20-cv-00128-
JAW**

**CONSENT JUDGMENT OF
FORECLOSURE AND SALE**

**RE: VACANT REAL PROPERTY
200 Broad Street, Unit 4, Wellington
Court Condominium, Auburn, ME
04210**

**Mortgage:
January 31, 2006
Book 6659, Page 330**

Now comes the Plaintiff, U.S. Bank National Association, as Trustee for JPMorgan Mortgage Acquisition Trust 2006-ACC1, Asset-Backed Pass-Through Certificates, Series 2006-ACC1, (U.S. Bank, National Association received its charter from the Office of the Comptroller of the Currency and has a place of business in Delaware thereby conferring diversity jurisdiction upon this Court.) the Defendant, Lourdes S. Jacob, and Party-In-Interest, Wellington Court Condominium Association, Inc. and hereby submit this Consent Judgment of Foreclosure and Sale. The parties further consent and stipulate to the following facts:

1. The Plaintiff is the holder and owner of the subject Note (by endorsement, possession of the original Note and stipulation of the Parties) and Mortgage (by stipulation of the Parties).

2. The original amount of the Loan was \$120,650.00, which was granted on January 31, 2006 with payments commencing March 1, 2006 and scheduled for the first of every subsequent month until February 1, 2036 (the payment dates and amounts of payments and charges are reflected in the affidavit filed herewith which contains the full payment history).

3. The balance due after each payment, the last payment date, the total amount of payments and the servicer history is also reflected in the affidavit filed herewith.

4. The property was unoccupied at the time that notice of acceleration was sent to the debtor and remains unoccupied by the debtor as of this date and therefore Title 14 § 6111 is not applicable to this matter and the July 30, 2020 Executive Order of Governor Mills as extended and the August 27, 2020 Mortgagee Letter 2020-27 from the U.S. Department of Housing and Urban Development are not applicable to this matter and even if applicable do not prevent the entry of Foreclosure and Sale at this time on this particular property.

5. A copy of the Complaint in this matter was filed with the Androscoggin Registry of Deeds on April 7, 2020 in Book 10342, Page 105

Count II - Breach of Note, Count III - Breach of Contract, Money Had and Received, Count IV - Quantum Meruit, and Count V - Unjust Enrichment are

hereby **DISMISSED** without prejudice at the request of the Plaintiff.

JUDGMENT on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendant or his/her heirs or assigns pay U.S. Bank National Association, as Trustee for JPMorgan Mortgage Acquisition Trust 2006-ACC1, Asset-Backed Pass-Through Certificates, Series 2006-ACC1 (“U.S. Bank National Association”) the amount adjudged due and owing (\$211,603.21) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A § 6322, U.S. Bank National Association shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$112,202.60
Interest	\$69,096.92
Escrow Advance	\$22,990.76
Advance Balance	\$3,149.46
Attorney`s Fees	\$4,163.47
Grand Total	\$211,603.21

2. If the Defendant or his/her heirs or assigns do not pay U.S. Bank National Association the amount adjudged due and owing (\$211,603.21) within 90 days of the judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, his/her remaining rights to possession of the Auburn Property shall terminate, and U.S. Bank National Association shall conduct a public sale of the Auburn Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of

- \$211,603.21 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. U.S. Bank National Association may not seek a deficiency judgment against the pursuant to the Plaintiff's waiver of deficiency.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
 4. The amount due and owing is \$211,603.21.
 5. The priority of interests is as follows:
 - U.S. Bank National Association, as Trustee for JPMorgan Mortgage Acquisition Trust 2006-ACC1, Asset-Backed Pass-Through Certificates, Series 2006-ACC1 has first priority, in the amount of \$211,603.21, pursuant to the subject Note and Mortgage.
 - Wellington Court Condominium Association, Inc. who has been defaulted.
 - Lourdes S. Jacob has the third priority behind the Plaintiff.
 6. The prejudgment interest rate is 7.75000%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 8.59%, *see* 14 M.R.S.A. §1602-C.
 7. The following information is included in this Judgment pursuant to 14

M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank National Association, as Trustee for JPMorgan Mortgage Acquisition Trust 2006- ACC1, Asset-Backed Pass- Through Certificates, Series 2006-ACC1 700 Kansas Lane, MC 8000 Monroe, LA 71203	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
DEFENDANT	Lourdes S. Jacob 17045 Walnut Street Yorba Linda, CA 92886	Thaddeus V. Day, Esq. 440 Walnut Hill Road (P.O. Box 11, Cumberland Center ME 04021) North Yarmouth, ME 04097
PARTY-IN-INTEREST	Wellington Court Condominium Association, Inc. c/o Registered Agent, John W. Conway, 83 Pleasant Street Auburn, ME 04210	c/o Registered Agent, John W. Conway, 83 Pleasant Street Auburn, ME 04210

- a) The docket number of this case is No. 2:20-cv-00128-JAW.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 200 Broad Street, Unit 4, Wellington Court Condominium, Auburn, ME 04210, is set forth in

Exhibit A to the Judgment herein.

- d) The street address of the real estate involved is 200 Broad Street, Unit 4, Wellington Court Condominium, Auburn, ME 04210. The Mortgage was executed by the Defendants, Lourdes S. Jacob and Abraham B. Jacob on January 31, 2006. The book and page number of the Mortgage in the Androscoggin County Registry of Deeds is Book 6659, Page 330.
- e) This judgment shall not create any personal liability on the part of the Defendant but shall act solely as an in rem judgment against the property, 200 Broad Street, Unit 4, Wellington Court Condominium, Auburn, ME 04210.

Dated: February 17, 2021

/s/John A. Doonan, Esq.
John A. Doonan, Esq., Bar No. 3250
Reneau J. Longoria, Esq., Bar No. 5746
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Dated: January 14, 2021

/s/Lourdes S. Jacob
Lourdes S. Jacob
17045 Walnut Street
Yorba Linda, CA 92886

SO ORDERED

Dated this 15th day of March, 2021

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE